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**Carriers—Loss of Mss.—Measure of Damages.**—The interesting question arose in *Southern Express Co. v. Owens*, 41 Southern Reporter, 752, as to how damages were to be determined for the loss of a manuscript in the absence of evidence of a market value. The manuscript was a school book history on a subject on which there was no text-book, and the Supreme Court of Alabama determined that it was proper to permit the plaintiff to testify as to the amount of time he had spent in the preparation of the manuscript and what he considered it worth, the court adding that where an article is so unusual in character that the market value cannot be determined damages must be ascertained in some rational way.

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**Trade-Marks and Trade-Names.**—The Supreme Court of Michigan in *Warren Bros. v. Barber Asphalt Paving Co.*, 108 Northwestern Reporter, 652, holds that where a city calls for proposals for the construction of "bitulithic" pavement, and requires the pavement to be made according to certain specifications, a company might be awarded the contract for the work, although another company has habitually used the word "bitulithic" as a name for the particular pavement made by them, and had had this trade-name registered and also filed for record as a trade-name in the office of the Secretary of the State of Michigan. The court says that the injunction must be denied because a trade-name does not give one the exclusive right to make or sell a given kind of goods, the trade-name being simply to point out the origin or ownership of the article to which it is affixed for the protection of the consumer, and that in cases where the rights to the use of a trade-name are invaded the wrong consists in the sale of goods of one manufacturer under the false representation that they are the goods of another.

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**Death Sentence for Life Convict.**—In *Brown v. State*, 95 Southwestern Reporter, 1039, the Court of Criminal Appeals of Texas passes upon the question as to whether one who has been previously convicted of murder and is serving a life sentence may be tried and sentenced to death for a subsequent murder. While no cases were cited by the court, it is held that the second conviction is not barred by the first, and that the death sentence may be put into effect immediately. The question has been passed upon in several other states, the holding uniformly being in agreement with this opinion of the Texas court.

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**Stealing Gas.**—An unusual prosecution for larceny arises in *Woods v. People*, 78 Northeastern Reporter, 607, where the Supreme Court of Illinois holds that the occupant of a building, who removes the meters and substitutes rubber hose connections, is guilty of grand larceny under the statute defining larceny as feloniously taking the personal goods of another. The defendant's plan was to remove the